

ENTERED

May 03, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

SCOTT F. CREE,

Plaintiff,

VS.

BRYAN COLLIER,

Defendant.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 2:21-CV-00208


**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
TO DENY PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Pending before the Court is Plaintiff's motion for summary judgment (D.E. 35). On April 6, 2022, United States Magistrate Judge Julie K. Hampton issued a Memorandum and Recommendation (M&R, D.E. 36), recommending that Plaintiff's motion be denied as premature. Plaintiff did not file any formal objections. Instead, he timely filed a letter (D.E. 39) asking the Court to find common ground to conduct a trial as early as possible. The Court is adjudicating this case according to the Federal Rules of Civil Procedure in due course and with appropriate speed. To the extent that Plaintiff's letter can be construed as an objection to the denial of his motion, it is **OVERRULED**.

Having reviewed the findings of fact, conclusions of law, and recommendations set forth in the Magistrate Judge's Memorandum and Recommendation, as well as Plaintiff's letter, and all other relevant documents in the record, and having made a de novo disposition of the portions of the Magistrate Judge's Memorandum and Recommendation

to which objections were specifically directed, the Court **OVERRULES** Plaintiff's objections and **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, Plaintiff's motion for summary judgment (D.E. 35) is **DENIED** as premature.

ORDERED on May 3, 2022.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE